

October 6, 2008

**Public Notice for 401 Water Quality Certification
and/or
Waste Discharge Requirements (Dredge/Fill Projects)
for
Guerneville Streambank Stabilization Project
Tom Harrison,
15575 Riverside Drive, Guerneville
Sonoma County (WDID No. 1B07163WNSO)**

On October 15, 2007, Mr. Jason Hocheder, of Always Engineering, on behalf of Mr. Tom Harrison, (Applicant), filed an application for water quality certification under section 401 of the Clean Water Act (33 U.S.C. § 1341) and/or Waste Discharge Requirements for dredge/fill activities, with the North Coast Regional Water Quality Control Board (Regional Water Board) for activities associated with the Guerneville Stream Bank Stabilization project (Project) in Sonoma County. The project causes disturbances to waters of the state associated with the Russian River Hydrologic Area No. 114.00.

The latitude and longitude of the Project is 38°30' 25.76"N and 122°59' 17.68" W. The project includes the Assessors Parcels Number (APN) 070-120-042.

As described in the application, the Project is comprised of stabilization of the riverbank by installation of native vegetation and "Reno Mattress" gabion stabilization to match the existing grade below the existing home and above the Ordinary High Water Elevation (OHWE) of the river. The Reno Mattress will be approximately 40 feet wide along the river bank and be approximately 36 feet up the bank, with a total area of approximately 0.02 acres. The mattress will have two feet deep and wide top and bottom edges, with the center section being one foot thick. The Reno Mattress will contain a mixture of crushed 6 inch diameter rock, and topsoil and be surrounded by wire mesh. A stabilizing geotextile will be applied to the native soil directly under the Reno Mattress. The Reno Mattress will also contain bundles of willow cuttings on an average spacing of two feet on center. The surrounding area of disturbed soil will be seeded with native grasses as detailed in the California Department of Fish and Game Streambed Alteration Agreement. The entire area will be irrigated as necessary to ensure growth of the willows and native grasses. Stormwater erosion control best management practices (BMPs) include use of silt fencing, erosion control fabric and seeding with native grasses.

Compensatory mitigation for the project includes revegetation of the disturbed areas with native plants and trees and removal of invasive plant species. It is anticipated that the dense willow plantings will increase deposition of sediments within the area of the project and cover the Reno Mattress within a reasonable time period.

Willow plantings shall have a minimum survival rate of 85% by the end of the fifth year after planting. Native grass areas shall have a minimum coverage area of 90% by the end of the fifth year. Non-native plants shall not exceed 5% of relative cover.

An annual monitoring report on the status of the mitigation shall be submitted to the Regional Water Board by December 31 of each year of the five year monitoring period, or until minimum survival or coverage rates have been achieved. Reports shall include survival, percent cover of planted native grasses, and height of planted trees. Number of replacement plants and overall condition of the Project shall also be reported. Photographs from established photo stations shall be included.

Permits and agreements issued from other agencies are included in the application package for the Project and shall be complied with.

California Department of Fish and Game issued a Streambed Alteration Agreement (No. 1600-2007-0495-03) on October 3, 2008.

Army Corps of Engineers Clean Water Act Section 404 Permit is not required, as stated in their letter dated, June 17, 2008, File No. 2008-0220N.

At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final project plans in order to reduce and control soil erosion: work in and around waterways will be conducted during the dry season (May 15th to October 31st); installation of construction barrier fencing to preclude equipment entry into sensitive areas; installation of silt fencing or fiber rolls to prevent sediment loss from immediate work area; topsoil salvage and reapplication; and seeding and mulching. Additionally, all required BMPs shall be on-site and ready for timely deployment, before start of the wet season. If construction needs to continue past October 31st, Applicant may contact Regional Water Board Staff and extend the work period on a day by day basis, contingent on appropriate expected weather conditions.

The County of Sonoma, as the lead California Environmental Quality Act (CEQA) agency, has determined that this Project qualifies for a Statutory Exemption, Section 15269 (c), "Specific actions necessary to prevent or mitigate an emergency." In a letter dated September 17, 2008, issued by Mr. Steve Padovan, Project Planner, of the County of Sonoma Permit and Resource Management Department, it is stated, "The purpose of the project is to stabilize the bank of the Russian River to prevent further erosion this coming winter which could result in the existing dwelling being damaged or destroyed."

The project is scheduled to begin October 6, 2008 and end prior to October 31, 2008. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. Under Title 23, California Code of Regulations, Section 3858(a): "The executive director or the executive officer with whom an application for certification is filed shall provide public notice of an application at least twenty-one (21) days before taking certification action on the application, unless the public notice requirement has been adequately satisfied by the applicant or federal agency. If the applicant or federal agency provides public notice, it shall be in a manner and to an extent fully equivalent to that normally provided by the certifying agency. If an emergency requires that certification be issued in less than 21 days, public notice shall be provided as much in advance of issuance as possible, but no later than simultaneously with issuance of certification." Due to the nature of emergency associated with this project, a waiver of waste discharge requirements will be issued during the 21-day public comment period. Public comments will still be accepted and reviewed during the entire 21-day comment period; ending October 27, 2008. Staff will consider all comments received during the 21-day comment period that begins on the first date of issuance of this notice. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at Sbargsten@waterboards.ca.gov.

The related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.